

KEY MAP

SEAL

REZONING  
PETITION NO.  
2017-167

PROJECT

ERVIN BUILDING  
REZONING

BEAVER CREEK CRE, LLC  
4037 E. INDEPENDENCE  
BOULEVARD  
CHARLOTTE, NC 28205

LANDDESIGN PROJ.# 1017337

REVISION / ISSUANCE

| NO. | DESCRIPTION        | DATE       |
|-----|--------------------|------------|
|     | REZONING SUBMITTAL | 10-23-2017 |
| 1   | CITY COMMENTS      | 12-11-2017 |
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DESIGNED BY: LD  
DRAWN BY: LD  
CHECKED BY: RJP

SCALE

VERT: N/A  
HORZ: 1"=30'

SHEET TITLE

EXISTING  
CONDITIONS

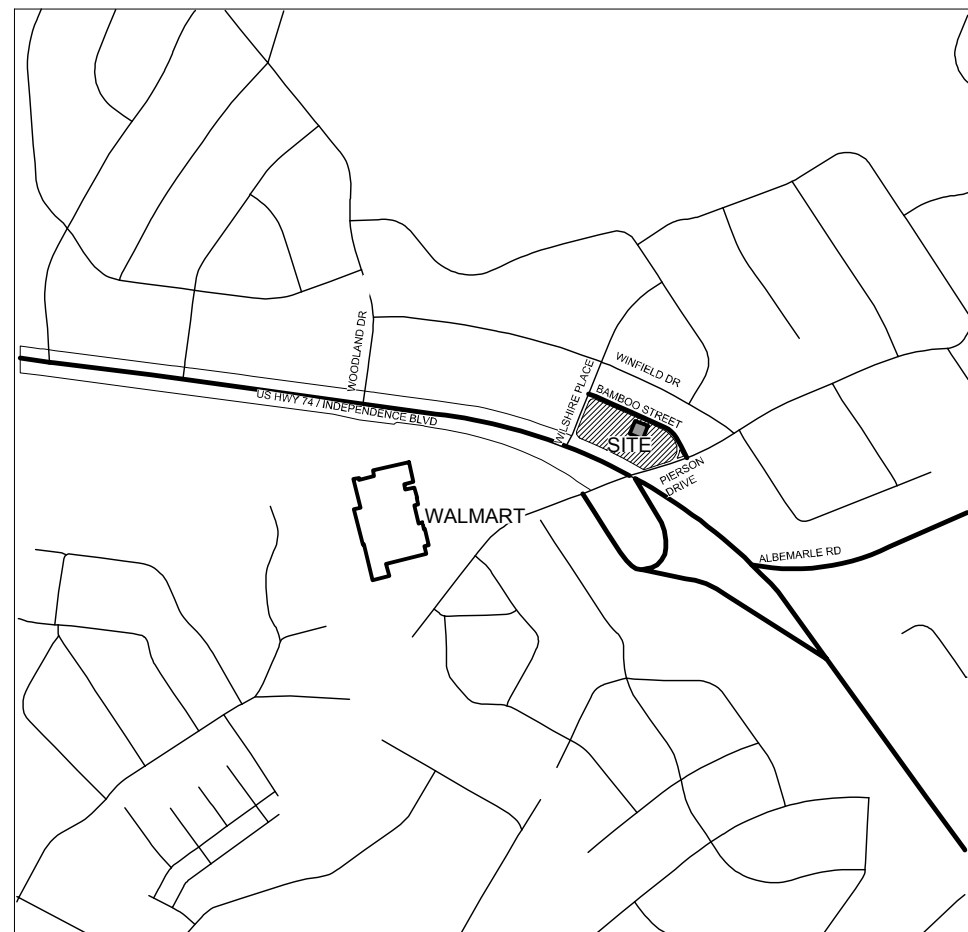
SHEET NUMBER

RZ-0



ADJACENT OWNERSHIP LISTINGS\*

- |                                                                                                 |                                                                                                                  |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| 1. EXECUTIVE BUILDING COMPANY LLC<br>Tax # 13110116<br>Zoning: B-2<br>Existing Use: Vacant Lot  | 9. HELMS RENTAL LLC<br>Tax # 13111103<br>Zoning: R-4<br>Existing Use: Single Family                              |
| 2. RICHARD AND RITA GUINEY<br>Tax # 13110101<br>Zoning: R-2MF<br>Existing Use: Single Family    | 10. JAMES WINKLE<br>Tax # 13111102<br>Zoning: R-4<br>Existing Use: Single Family                                 |
| 3. BRIAN AND KATHY COSTANZA<br>Tax # 13111109<br>Zoning: R-4<br>Existing Use: Single Family     | 11. CHARLOTTE LP ADAMS OUTDOOR<br>ADVERTISING<br>Tax # 13113330<br>Zoning: B-2<br>Existing Use: Open Storage Lot |
| 4. GEORGE ZELECKI AND MARY JOAN<br>Tax # 13111108<br>Zoning: R-4<br>Existing Use: Single Family | 12. UHAUL REAL ESTATE CO.<br>Tax # 13113331<br>Zoning: B-2<br>Existing Use: Open Storage Lot                     |
| 5. ROBERT AND KIM KALOUSEK<br>Tax # 13111106<br>Zoning: R-4<br>Existing Use: Single Family      |                                                                                                                  |
| 6. JAMES AND ELIZABETH MATTHEWS<br>Tax # 13111107<br>Zoning: R-4<br>Existing Use: Single Family |                                                                                                                  |
| 7. TRACY PERREAULT<br>Tax # 13111105<br>Zoning: R-4<br>Existing Use: Single Family              |                                                                                                                  |
| 8. MESFEN B TESFAGABIR<br>Tax # 13111104<br>Zoning: R-4<br>Existing Use: Single Family          |                                                                                                                  |



VICINITY MAP  
SCALE: 1" = 1000'

SITE INFORMATION

|                                                      |                                                                        |
|------------------------------------------------------|------------------------------------------------------------------------|
| SITE AREA                                            | 2.11 ACRES (+/- 91,911.60' SQFT)                                       |
| TAX PARCEL(S) INCLUDED WITHIN THE AREA TO BE REZONED | 13111112, 13111110, 13111101                                           |
| EXISTING ZONING                                      | BUSINESS (B-2)                                                         |
| EXISTING USES                                        | VACANT STRUCTURES: RETAIL, OFFICE AND PARKING                          |
| PROPERTY OWNERS                                      | EXECUTIVE BUILDING COMPANY, LLC<br>PO BOX 33775<br>CHARLOTTE, NC 28233 |

NOTES:  
EXISTING CONDITION PLAN DERIVED FROM VARYING SOURCES (I.E. MULTIPLE SURVEYS, GIS, AERIAL RECONNAISSANCE, AND SITE OBSERVATIONS). ACTUAL SITE AND/OR CONTEXT CONDITIONS MAY VARY. TO THE FULL KNOWLEDGE OF THE PETITIONER ALL KNOWN EXISTING EASEMENTS AND ROW RESERVATIONS ARE SHOWN.





SEAL

## PROJECT

## BEAVER CREEK CRE. LLC

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| 1   | CITY COMMENTS      | 12-11-2017 |
| 2   | CITY COMMENTS      | 01-22-2018 |

DESIGNED BY: LD  
DRAWN BY: LD  
CHECKED BY: RJP

SCALE

SCALE

NORTH

VERT: N/A  
HORZ: 1"=30'

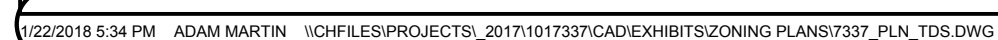


SHEET TITLE

# TECHNICAL DATA SHEET

SHEET NUMBER

RZ-1



ORIGINAL SHEET SIZE: 24" X 36"



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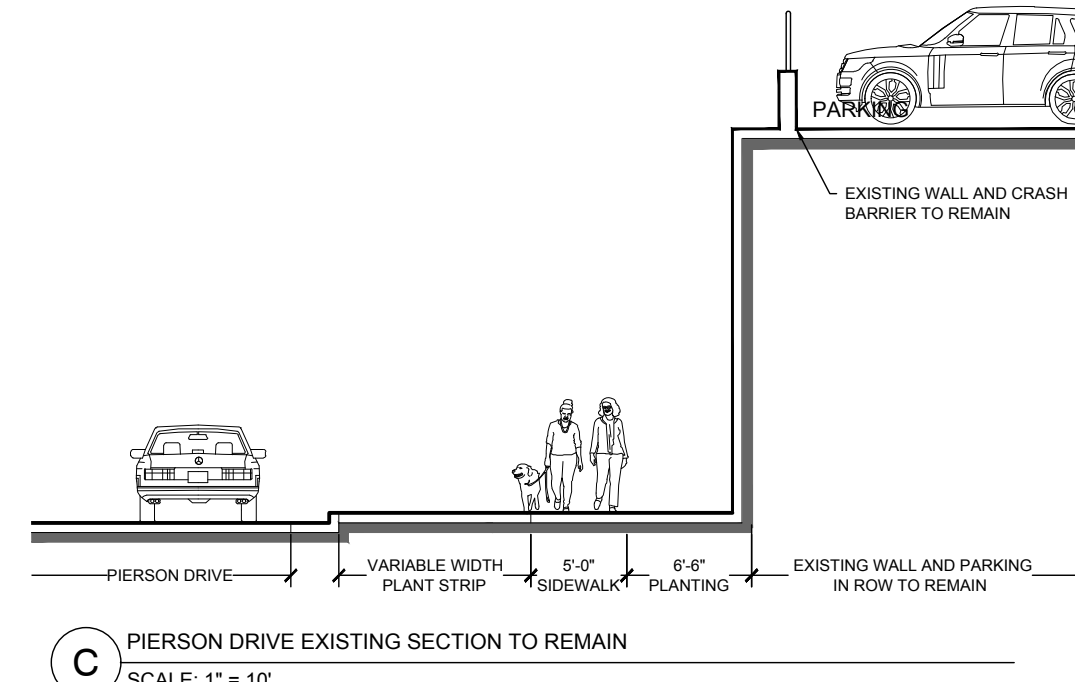
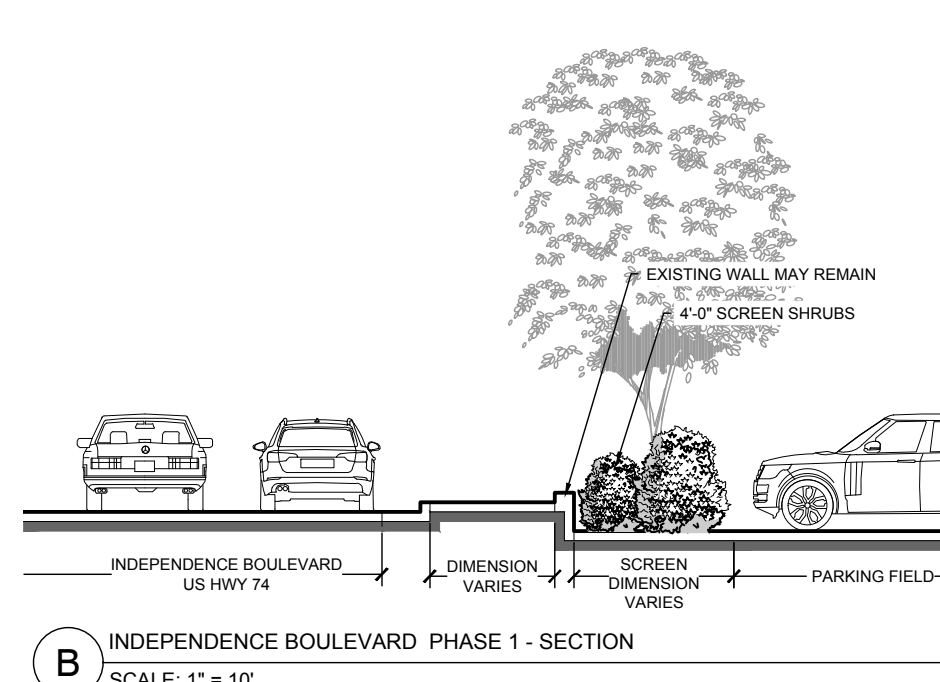
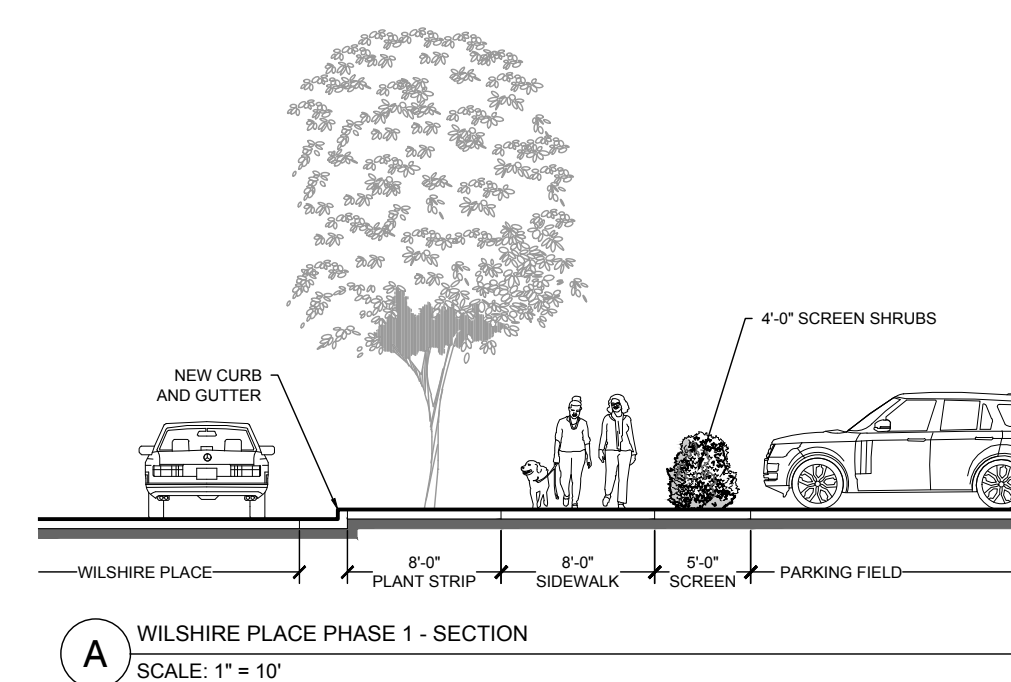
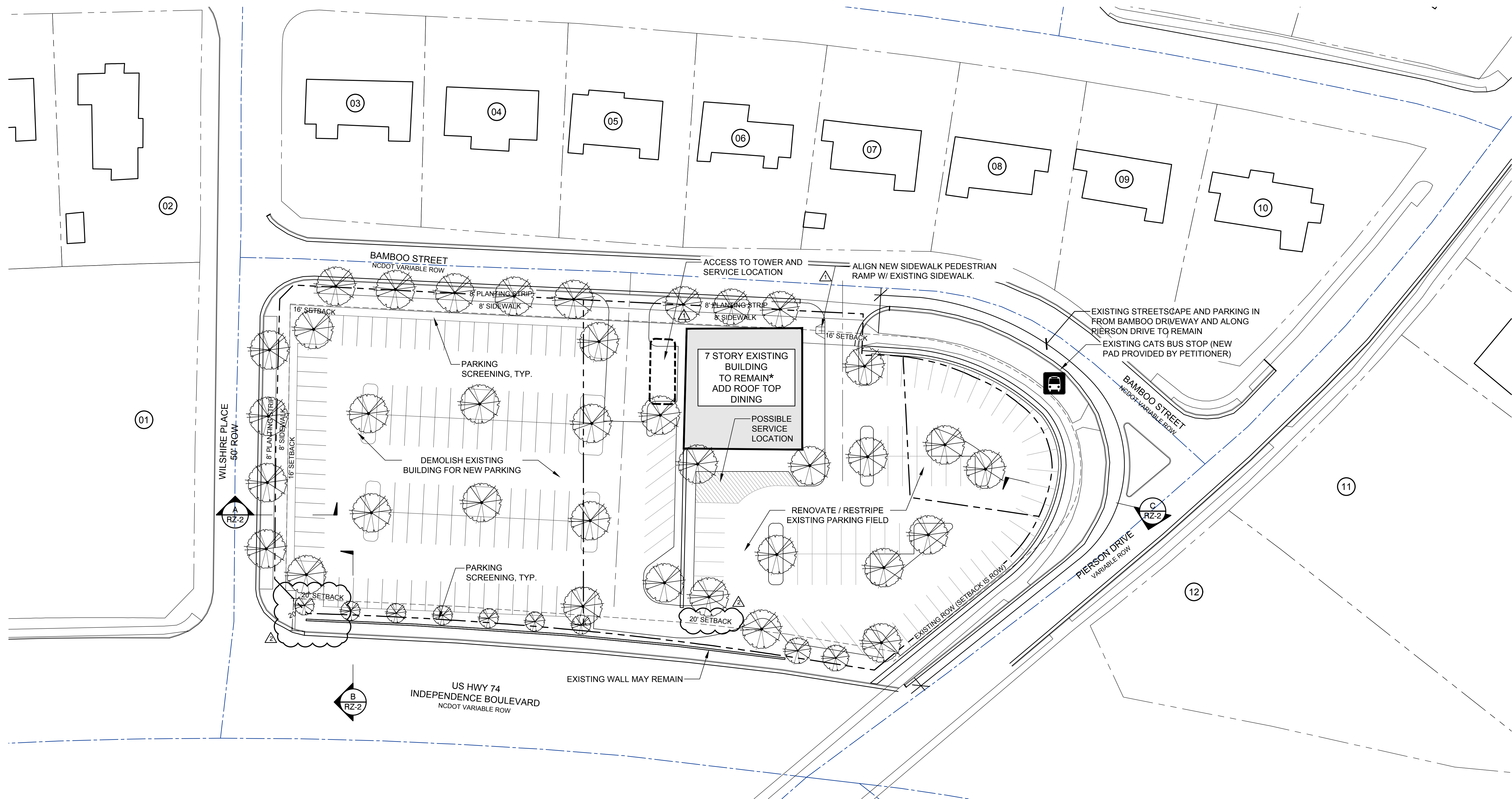
SCALE

VERT: N/A  
HORZ: 1"=30'

SHEET TITLE

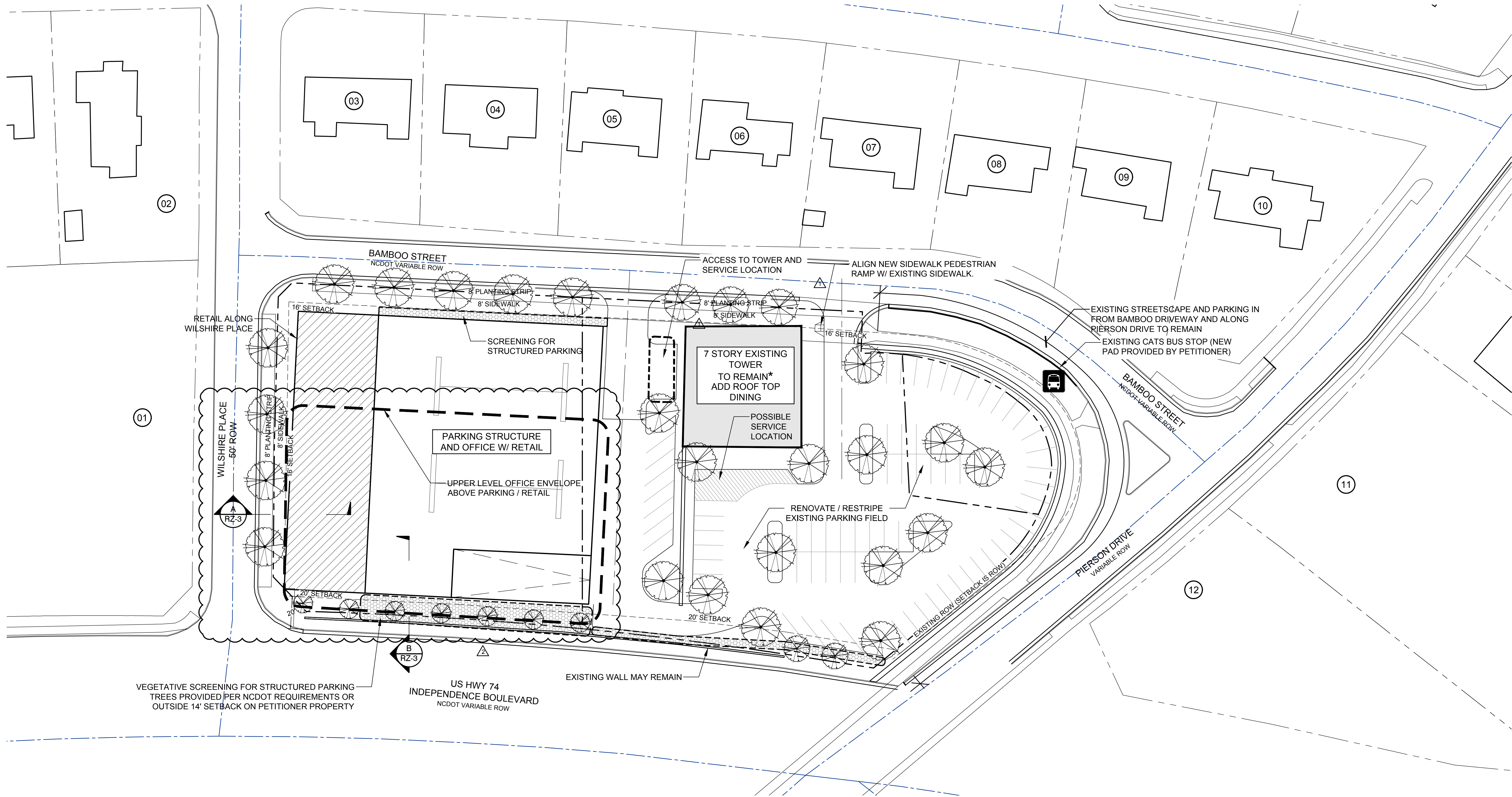
**CONCEPTUAL SITE  
PLAN - PHASE 1**

SHEET NUMBER



\* SUBJECT TO SECTION 3 OF DEVELOPMENT STANDARDS REGARDING  
CONDITION OF BUILDING





LAND DESIGN II.  
223 NORTH GRAHAM STREET  
CHARLOTTE, NC 28202  
704.333.0325  
WWW.LANDDESIGN.COM  
ENG. FIRM LICENSE # C-0658

KEY MAP

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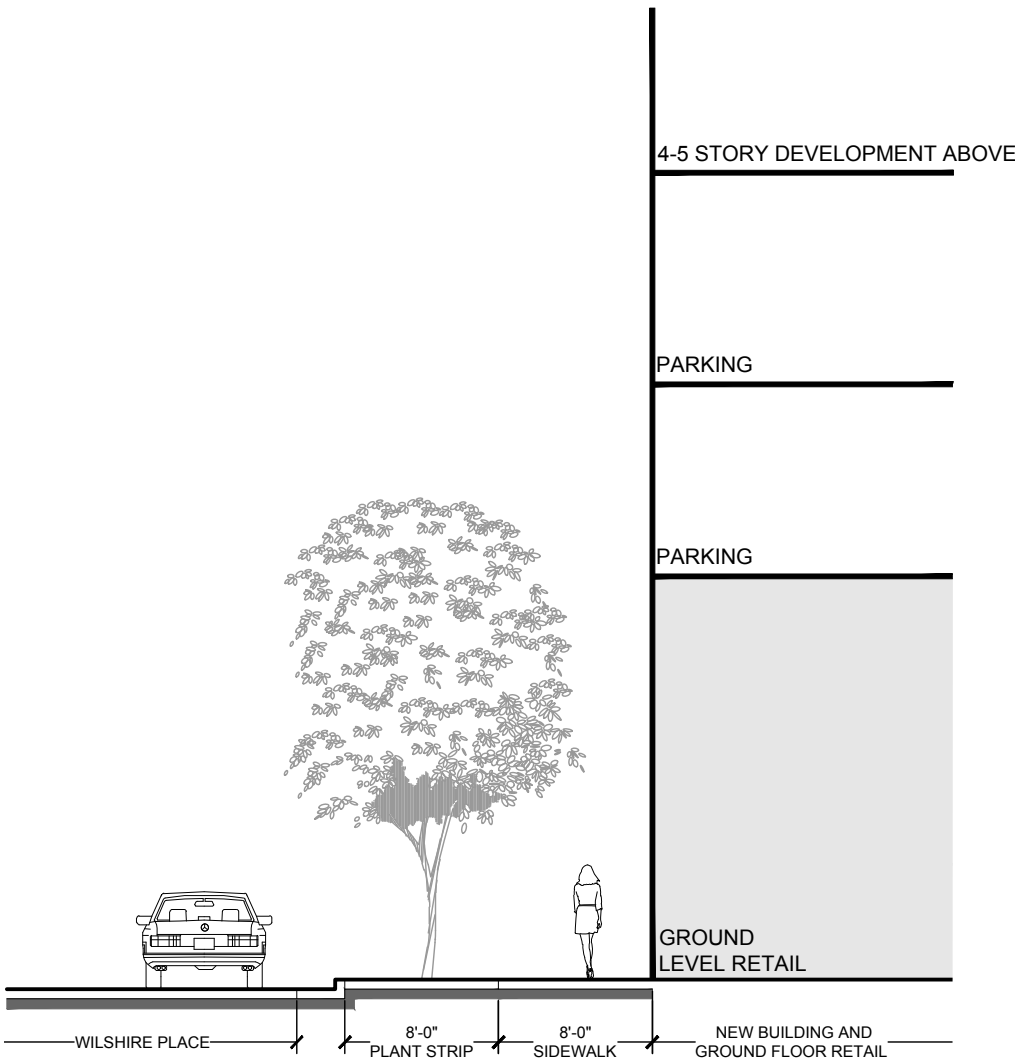
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|-----|--------------------|------------|
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DESIGNED BY: LD  
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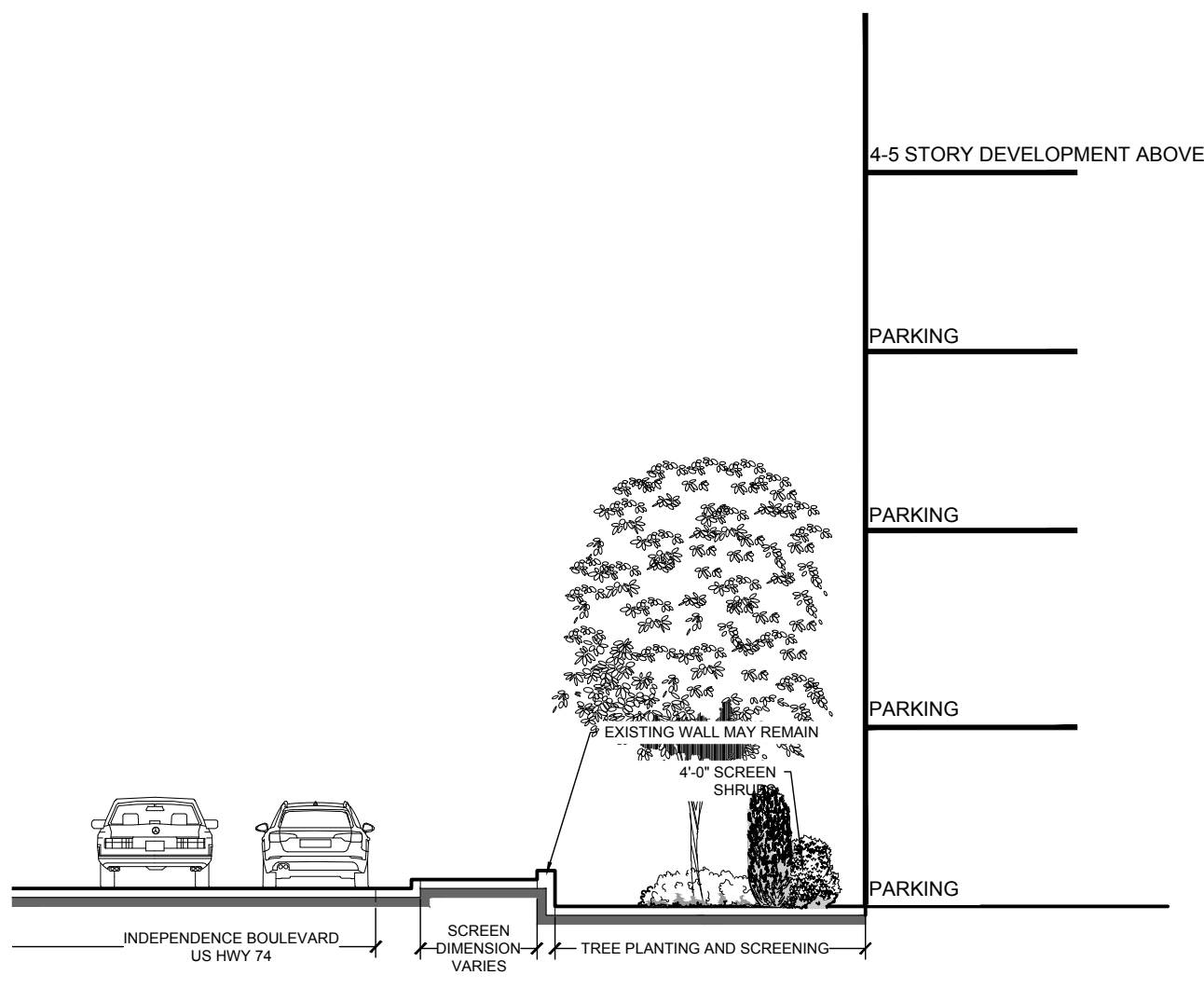
SCALE  
VERT: N/A  
HORZ: 1"=30'  
0 15' 30' 60'

CONCEPTUAL SITE  
PLAN - PHASE 2

SHEET NUMBER



A WILSHIRE PLACE PHASE 2 - SECTION  
SCALE: 1" = 10'



B INDEPENDENCE BOULEVARD PHASE 2 - SECTION  
SCALE: 1" = 10'

\* SUBJECT TO SECTION 3 OF DEVELOPMENT STANDARDS REGARDING  
CONDITION OF BUILDING



321Beaver Creek CRE LLC  
Development Standards  
January 18, 2018  
Rezoning Petition No. 2017-167

- Site Development Data:**
- Acreage: ± 2.11 acres
  - Tax Parcel #: 131-111-12; 131-111-10 & 131-111-01
  - Existing Zoning: B-2
  - Proposed Zoning: MUDD-O
  - Existing Uses: Vacant/abandoned commercial/office buildings
  - Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD-O zoning district and/or the Optional Provisions below, as more specifically described below in Sections 2 and 3.
  - Maximum Gross Square Feet of Development: (i) Within Development Area A, up to 45,000 square feet of gross floor area of allowed uses to transfer to 30,000 square feet to Development Area A from Development Area B per Section 3.e. in connection with a replacement building on Development Area A); and (ii) within Development Area B up to 57,000 square feet of gross floor area of allowed uses (subject to reduction by 30,000 square feet for transfer to Development Area A per Section 3.e.); each of (i) and (ii) together with accessory uses as allowed in the MUDD-O zoning district, and each as more specifically described below in Section 3.
  - Maximum Building Height: The height of the existing building within Development Area A may be increased up to a total height not to exceed 123 feet (see Optional Provision in Section 2 below). If the existing building within Development Area A is demolished due to the reasons set forth in Section 3.e, any new building constructed within Development Area A will be limited to a maximum height of 106 feet and shall be located within the building envelope depicted on Sheet RZ-1. The building to be constructed within Development Area B will not exceed a maximum height of (i) 50 feet at the building setback along Bamboo Street and (ii) 86 feet for the portion of the building stepped back from Bamboo Street in the manner depicted on Sheet RZ-1. Height to be measured as required by the Ordinance.
  - Parking: Parking will be provided as required by the Ordinance.

- 1. General Provisions:**
- a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Beaver Creek CRE LLC ("Petitioner") to accommodate the redevelopment of certain land and improvements thereon containing approximately 2.11 acres located at the intersection of Hwy 74 (Independence Blvd.) and Pierson Drive (the "Site") to permit a new mixed use development. It is understood that the Site includes two (2) Development Areas, namely "Development Area A" and "Development Area B" (each may be referred to as a "Development Area" or collectively as the "Development Areas") as generally depicted on the Rezoning Plan.

- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance") for MUDD-O district. Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning classification shall govern, as modified by the Optional Provisions below.

- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.07 of the Ordinance.

- d. **Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall not exceed two (2). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on a Development Area to which such improvements relate.

- e. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located within the Site. Furthermore, the Petitioner and/or owner of the portion of the Site reserve the right to subdivide the portions or all of the Site within the Development Areas and create lots within the interior of the portion of the Site within such Development Areas without regard to any such internal separation standards than those expressly set forth and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site and those expressly described in the Rezoning Plan shall be adhered to. In addition, all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan as to the Site as a whole and not individual portions or lots located therein.

- f. **Personal Services.** The terms "personal service uses" and/or "personal services" (whether capitalized or not) will mean and refer to uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spas, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and the like.

- g. **EDEE Uses.** References to the term "EDEE" shall mean "Eating Drinking Entertainment Establishments" as defined in the Ordinance and shall include without limitation Limited Service Restaurants, A "Limited Service Restaurant" or "limited service restaurant" (whether capitalized or not) shall mean a restaurant with no more than 3,000 square feet of gross floor area serving primarily items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food (other than heating of premixed dough), together with associated accessory uses.

- h. **Gross Floor Area.** When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities) and enclosed loading dock/service areas.

- 2. Optional Provisions.**
- The following Optional Provisions shall apply to the Site:

- a. **Height of Existing Building within Development Area A.** The height of the existing building located on Development Area A may be increased up to a total building height of 123 feet.
- b. **Development Area Specialty Signage.** Within Development Area A, to allow wall signs located near the top of the building located on the Site to be located within Development Area A but underneath the Rooftop Activity Area (as defined in Section 3.a, below) to have up to 725 square feet of sign surface area per wall screen area (the "Development Area Specialty Signage") except that the Development Area A Specialty Signage shall not be installed on a wall screen area facing to the east along the edge opposite Independence Boulevard. The Development Area A Specialty Signage shall be digital and LED in nature (or of similar technology; standard static "billboard type" signage is not allowed) with digital and video components and with features that allow dimming of the LED signage to adjust for ambient conditions. A conceptual rendering of the Development Area A Specialty Signage and the Rooftop Activity Area is generally depicted on Sheet RZ-4 (the actual installed improvements may vary from such rendering as long as the overall design intent is met and the above specifications are followed).
- c. **Detached Ground Mounted Signs.** To allow one detached ground mounted sign along Independence Boulevard with a maximum height of 20 feet and containing up to 150 square feet of sign area and to allow one detached ground mounted sign along each of the other public streets (Wilshire, Bamboo, and Pierson) in accordance with MUDD permitted dimensions and heights.
- d. **Parking/Maneuvering on Development Area A.** To allow parking and maneuvering between the building on Development Area A and Independence Boulevard, Bamboo Street and Pierson Drive.
- e. **Parking/Maneuvering on Development Area B.** To allow surface parking and maneuvering within Development Area B without regard to building locations or existence of buildings on the Site and as generally depicted on the Rezoning Plan until such time as "Phase II Development" takes place on Development Area B. Parking and maneuvering may not be located between the building and adjacent public streets on Development Area B after the issuance of the first certificate of occupancy associated with the Phase II Development to take place on Development Area B.
- f. **Streetscape Optional Provisions.** To not require a sidewalk nor planting strip along the Site's frontage with Independence Boulevard, and to allow the existing streetscape located along Pierson Drive and that portion of Bamboo near Pierson Drive as shown on the Rezoning Plan to remain.

*Note: The optional provisions regarding signs are additions/modifications to the standards for signs on the Site and are to be used with the remainder of MUDD standards for signs not modified by these Optional Provisions.*

- 3. Permitted Uses & Development Area Limitation:**
- a. **Development Area A.** Subject to and including the provisions set forth in Section 3 herein (including for instance transfer and conversion rights), Development Area A may be developed for up to 45,000 square feet of gross floor area of uses (see definition of gross floor area above) allowed in the MUDD-O zoning district, together with accessory uses as allowed in the MUDD-O zoning district and per the Optional Provisions of Section 2 above; provided, however, if per Section 3.e. below, redevelopment should result in the existing building being demolished and a new building constructed within Development Area A, the total gross floor area of the new building shall not exceed 75,000 square feet of gross floor area and the additional 30,000 square feet shall result in a 30,000 square foot reduction of the Development Area B gross floor area square footage. Furthermore, no more than 9,000 square feet of gross floor area within Development Area A may be used for retail, EDEE or Personal Services uses (excluding such uses deemed accessory to office uses on Development Area A); such 9,000 square feet of gross floor area limitation shall include rooftop active uses (the "Rooftop Active Uses") such as EDEE uses and similar uses occupying up to but not exceeding 4,500 square feet of area (enclosed or open air) on the roof of the building within Development Area A (the "Rooftop Activity Area"). The Rooftop Activity Area shall be designed with opaque wall or similar barrier located along the eastern side of the building and shall have hours of operation of no later than 11:00 P.M. E.S.T.

- b. **Development Area B.** Development Area B may be developed with up to 57,000 square feet of gross floor area of uses (see definition of gross floor area above) allowed in the MUDD-O zoning district, including accessory uses as allowed in the MUDD-O zoning district; provided, however, such amount may be reduced as described in Section 3.a. above. Furthermore, no more than 9,000 square feet of retail, EDEE or Personal Services uses (excluding such uses deemed accessory to office uses on Development Area B) shall be permitted on Development Area B.

- c. **No gas/convenience store use** may be permitted on the Site.

- d. **Phased Development of Development Area B.** As generally depicted on Sheets RZ-2 and 3, Development Area B is contemplated to be developed in two (2) phases, the first such Phase I Development to reflect demolition of the existing building on Development Area B and the replacement thereof with surface parking that may serve uses on the Site, and the second such Phase II Development to reflect permitted uses and an associated structured parking facility on Development Area B. Certain screening improvements and landscaping as described below in Section 5.c shall be installed on Development Area B prior to completion of the surface parking allowed on Development Area B as part of Phase I Development.

- e. **Renovation of Building on Development Area A.** It is contemplated that Development Area A shall be redeveloped in a manner that renovates the existing building located on Development Area A. In the event, however, that either (i) the existing building is destroyed by fire or other casualty such that rebuilding is not practical, or (ii) a third party structural engineer certifies that the existing building cannot be so renovated from a structural soundness or environmental standpoint, or the cost of such renovation is substantially beyond what would be reasonable for a renovation project of the kind contemplated for the existing building, Development Area A may be developed with a new building in lieu of the existing building. In such event, the new building shall be located within the building envelope generally depicted on Sheet RZ-1 and the total amount of gross floor area of the new building shall not exceed 75,000 square feet of gross floor area of uses allowed within Development Area A as described and limited by Section 1.a. above (including without limitation the Rooftop Active Uses and the Development Area A Specialty Signage). It is understood that the increase in the amount of allowed square footage from 45,000 square feet of gross floor area to 75,000 square feet shall result from a transfer of square footage from Development Area B so that the total allowed square footage for the entire Site shall not exceed 102,000 square feet of gross floor area. The maximum height of any new building located within Development Area A will be limited to 106 feet.

- f. **Conversion of Commercial Uses to Hotel Rooms on Development Area A.** Hotel rooms may be developed within Development Area A by converting commercial uses (e.g. office, retail, EDEE and Personal Services uses) into hotel rooms at the rate of 300 square feet of gross floor area of such commercial uses so converted for one (1) hotel room added, up to a maximum of 100 hotel rooms so converted.

- g. **Records of Entitlement & Transfers/Conversions; Administrative Amendments.** Prior to any transfer/conversion of entitlement pursuant to subsections 3.e. and f. above, the Petitioner or owner of the applicable Development Area involved in the transfer/conversion under request shall provide to the Planning Department a written request for such transfer/conversion as well as an updated entitlement summary for development. Furthermore, the results of such conversions shall be evidenced by an administrative site plan amendment.

- 4. Access & Transportation/Ped Improvements:**
- a. Access to the Site will be from Bamboo Street in the manner generally depicted on the Rezoning Plan.

- b. The Petitioner will install a left-turn lane from Pierson Drive onto Bamboo Street as generally depicted on the Rezoning Plan; provided, however, such left-turn lane will be created by re-striping the existing pavement on Pierson Drive and shall not be required if it cannot be accomplished in this manner.

- c. The Petitioner will convert the existing monolithic concrete island at the intersection Bamboo Street and Pierson Drive to also serve as pedestrian refuge island while still channelizing traffic as currently does. The existing accessible ramps on Bamboo would be relocated to coincide with the redesigned monolithic concrete island and the new pedestrian refuge island.

- d. Streetscape improvements along Wilshire Place will be installed in the manner generally depicted on Sheet RZ-3 prior to the issuance of the first certificate of occupancy for new development taking place on the Site.

- e. The Petitioner will provide a sidewalk easement for any of the proposed sidewalks that fall outside of the existing right-of-ways.

- f. The proposed transportation improvements shall be approved and constructed prior to the issuance of the first certificate of occupancy for the Site. The Petitioner may post a bond for any improvements not completed at the time the first certificate of occupancy is issued.

**5. Architectural and Site Design Standards:**

- a. **Building Materials Generally.** The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum siding and/or wood material may only be used on windows, soffits, awnings and on handrails/railings, however standing seam metal is permitted as a decorative architectural element. Furthermore, the building elevations (excluding structured parking facilities) on public streets shall be constructed so that at least 40% of the elevation fronting public streets, exclusive of windows, doors, and roofs, will be constructed utilizing the following materials: brick, synthetic brick, stone, precast stone, precast concrete, synthetic stone, and decorative block. The use of decorative block will be limited to a maximum of 25% of any building elevation.

- b. **Structured Parking Deck.** Parking deck structures shall be designed to materially screen the view of parked cars from adjacent public streets and screening of cars parked on the upper level will be accomplished by a wall at least 36 inches in height, designed as part of the parking deck structure. Building materials associated with facades on parking deck structures that are generally compatible in character with nearby buildings will be created taking into consideration differences associated with parking deck structures.

- c. **Murals on Existing Retaining Walls.** The Petitioner will commission and install mural(s) on portions of the existing retaining wall located within the right-of-way of Pierson Drive and Bamboo Street subject to the approval of NCDOT and/or CDOT. (If so approved, the mural(s) will be installed prior to the issuance of a certificate of occupancy for the existing building within Development Area A or prior to the issuance of a certificate of occupancy for a new building within Development Area A should the existing building be demolished per Section 3.e. and a new building is constructed. Petitioner or the owner of Development Area A will maintain such mural(s)).

- d. **Building Placement and Site Design Standards.** New building placement and site design shall focus on enhancing the pedestrian and bicycle use of the public streets, through the following (the following shall not apply to renovation of existing building(s) on the Site):

- i. New buildings on Development Area B shall be placed so as to present a front or side facade to Wilshire Place and Bamboo Street (i.e. the rear or the service side of the buildings may not be oriented toward Wilshire or Bamboo).
- ii. The building located on Development Area B as part of Phase II shall include installation of active use space along the building edge fronting Wilshire Place for a minimum of sixty percent (60%) of such frontage.
- iii. New building facades fronting Wilshire Place or Bamboo Street on Development Area B shall include a combination of windows and operable doors for a minimum of 80% of each frontage elevation transparent glass between 2' and 10' on the first floor. Up to 10% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk. This standard will not apply to parking structures constructed on the Site.
- iv. The facades of first/ground floor of new buildings along streets shall incorporate a minimum of 20% masonry materials such as brick, stone and pre-cast.
- v. Direct pedestrian connection for new buildings should be provided between new street facing doors, corner entrance features to the sidewalks along Wilshire and Bamboo.
- vi. New operable door spacing for new building along Wilshire Place and Bamboo shall not exceed 75 feet on the new building constructed on the Site.
- vii. New building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- viii. New building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.

6. **Streetscape and Screening:**
- a. The Petitioner will provide a sidewalk network that links each building on the Site to the sidewalks along Wilshire Place and Bamboo Street in the manner generally depicted on the Rezoning Plan. The minimum width for these internal sidewalks will be five (5) feet.

- b. Any new buildings constructed within Development Areas A and B will maintain a minimum building setback (i.e. not applicable to surface parking) of 20 feet along Independence Boulevard as measured from the existing back of curb. A 16 foot setback as measured from the existing curb will be maintained along Wilshire Place and Bamboo Street. The setback along Pierson Drive will be the existing right-of-way line (the width of the right-of-way along Pierson Drive varies) as generally depicted on the Rezoning Plan.

- c. The Petitioner will close, cover, or remove the existing stairs along Bamboo Avenue that lead to the existing basement of the building, if not required to be an egress point by building standards.

- d. Meter banks will be screened from view from adjacent public streets at grade. HVAC and related mechanical equipment will be screened from public view at grade.

- e. Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

- f. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

- g. Screening of the surface parking areas associated with Phase I Development on the Site shall be a four (4) foot high solid screen or hedge as generally depicted on the Rezoning Plan. The proper screening may be located within the setback and within the right-of-way along Independence Boulevard, Pierson Drive and a portion of Bamboo Street close to Pierson as generally depicted on the Rezoning Plan; approval by NCDOT to locate screening in such rights-of-way is required and if not granted Petitioner shall work with NCDOT to obtain suitable substitute screening if so granted by NCDOT.

**7. Environmental Features:**

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance.

- b. The Site will comply with the Tree Ordinance.

**8. Signage:**

- a. Signage as allowed by the MUDD-O zoning district in the MUDD-O Area may be provided and as allowed in the MUDD-O Optional Provisions set forth above.

**9. Lighting:**

- a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

- b. Detached lighting on the Site will be limited to 26 feet in height.

- c. Subject to the approval of NCDOT the Petitioner will install street lights along Bamboo Street prior to the issuance of a certificate of occupancy for the existing building within Development Area A or the first new building constructed on the Site.

**10. Amendments to the Rezoning Plan:**

Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the portion of the Development Area (or subdivision thereof) affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

**11. Binding Effect of the Rezoning Application:**

- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.



ILLUSTRATIVE ROOFTOP ACTIVITY AND SIGNAGE

KEY MAP

SEAL

REZONING  
PETITION NO.  
2017-167

PROJECT

ERVIN BUILDING  
REZONING

BEAVER CREEK CRE, LLC

4037 E. INDEPENDENCE  
BOULEVARD

CHARLOTTE, NC 28205

LANDDESIGN PROJ.#  
1017337

REVISION / ISSUANCE

| NO. | DESCRIPTION        | DATE       |
|-----|--------------------|------------|
|     | REZONING SUBMITTAL | 10-23-2017 |
| 1   | CITY COMMENTS      | 12-11-2017 |
| 2   | CITY COMMENTS      | 01-22-2018 |

DESIGNED BY: LD  
DRAWN BY: LD  
CHECKED BY: RJP

SCALE NORTH

VERT: N/A  
HORZ:

SHEET TITLE

DEVELOPMENT  
STANDARDS

SHEET NUMBER

RZ-4